

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Robert T. McSweeney**  
**Kristen A. McSweeney**  
Debtor(s)

Bankruptcy Case No.: 19-24867-CMB  
Issued Per June 25, 2020 Proceeding  
Chapter: 13  
Docket No.: 31 – 5, 21  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 23, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,283 as of July 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The claims of Santander Consumer USA (Claim No. 8) and JPMorgan Chase Bank (Claim No. 13) governs as to the modified terms of the plan. The claim of U.S. Department of HUD (Claim No. 2) shall not receive payments.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: June 30, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Robert T. McSweeney  
 Kristen A. McSweeney  
 Debtors

Case No. 19-24867-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 47

Date Rcvd: Jun 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 02, 2020.

db/jdb  
 cr +Robert T. McSweeney, Kristen A. McSweeney, 215 Partridge Run Road, Gibsonia, PA 15044-7925  
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
 Pittsburgh, PA 15233-1828  
 15174883 Aarons, Inc., 400 Galleria Pkwy SE STE 300, Atlanta, GA 30339-3182  
 15174884 +AvanteUSA Ltd., 3600 South Gessner, Houston, TX 77063-5357  
 15174885 +AvanteUSA Ltd., 3600 South Gessner Road, Suite 225, Houston, TX 77063-5357  
 15183610 +CHRYSLER CAPITAL, P.O. BOX 961275, FORT WORTH, TX 76161-0275  
 15174890 +Chase Auto Finance, P.O. Box 901003, Fort Worth, TX 76101-2003  
 15174892 +Chrysler Capital, Po Box 961278, Fort Worth, TX 76161-0278  
 15174898 +Lendmark Financial Services, 1735 North Brown Road, Suite 300,  
 Lawrenceville, GA 30043-8228  
 15174899 +Mars Dental Specialists, 160 Brickyard Road, Mars, PA 16046-3070  
 15210233 +MidFirst Bank, 999 Northwest Grand Boulevard, Oklahoma City, OK 73118-6051  
 15174900 +Midland Mortgage Co, Attn: Customer Service/Bankruptcy, Po Box 26648,  
 Oklahoma City, OK 73126-0648  
 15174901 +Midland Mortgage Company, P.O. Box 268959, Oklahoma City, OK 73126-8959  
 15178977 +P.A.A.C. Transit Div., FCU, 219 Fort Pitt Blvd., Second Floor, Pittsburgh, PA 15222-1558  
 15174906 +PAAC Trans Division FCU, 219 Fort Pitt Blvd, Pittsburgh, PA 15222-1559  
 15174910 +Santander Consumer USA, Attn: Bankruptcy, 10-64-38-Fd7 601 Penn St,  
 Reading, PA 19601-3544  
 15174912 +Second Round, LP, Attn: Bankruptcy Dept, Po Box 41955, Austin, TX 78704-0033  
 15174913 +Straka & McQuone Inc, 1099 Ohio river Boulevard, Sewickley, PA 15143-2081  
 15177248 +U.S. Department of HUD, 100 Penn Square East 11th Floor, Philadelphia, PA 19107-3325  
 15198260 UPMC Health Services, PO Box 1123, Minneapolis MN 55440-1123

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15174888 +E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 01 2020 06:20:19  
 CC Holdings/CardMember Services, 101 Crossways Park Dr W, Woodbury, NY 11797-2020  
 15174889 +E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 01 2020 06:20:20  
 CC Holdings/CardMember Services, Attn: Card Services, Po Box 9201,  
 Old Bethpage, NY 11804-9001  
 15180990 E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 01 2020 06:22:11  
 CW Nexus Credit Card Holdings I, LLC, Resurgent Capital Services, PO Box 10368,  
 Greenville, SC 29603-0368  
 15174886 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:44:23 Capital One,  
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285  
 15174887 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:20:30 Capital One Bank,  
 Po Box 30281, Salt Lake City, UT 84130-0281  
 15176445 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:44:36  
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,  
 Charlotte, NC 28272-1083  
 15207570 +E-mail/Text: bankruptcy@capvs.com Jul 01 2020 06:09:03 Cavalry SPV I, LLC,  
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321  
 15174891 +E-mail/Text: bk.notifications@jpmchase.com Jul 01 2020 06:07:54 Chase Auto Finance,  
 Attn: Bankruptcy, Po Box 901076, Fort Worth, TX 76101-2076  
 15174893 E-mail/Text: documentfiling@lciinc.com Jul 01 2020 06:07:02  
 Comcast Cable Communications LLC, PO Box 3001, Southeastern, PA 19398-3001  
 15174894 +E-mail/PDF: creditonebkn notifications@resurgent.com Jul 01 2020 06:20:34 Credit One Bank,  
 Po Box 98872, Las Vegas, NV 89193-8872  
 15174895 +E-mail/PDF: creditonebkn notifications@resurgent.com Jul 01 2020 06:20:34 Credit One Bank,  
 Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873  
 15208833 +E-mail/Text: kburkley@bernsteinlaw.com Jul 01 2020 06:09:25 Duquesne Light Company,  
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,  
 Pittsburgh, PA 15219-1945  
 15174896 +E-mail/PDF: OGCRegionIIIBankruptcy@hud.gov Jul 01 2020 06:21:19 HUD,  
 451 Seventh Street SW, Washington, DC 20410-0002  
 15204842 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Jul 01 2020 06:08:50 Jefferson Capital Systems LLC,  
 Po Box 7999, Saint Cloud Mn 56302-9617  
 15198504 E-mail/Text: bk.notifications@jpmchase.com Jul 01 2020 06:07:54 JPMorgan Chase Bank, N.A.,  
 National Bankruptcy Department, P.O. Box 29505 AZ1-5757, Phoenix AZ 85038-9505  
 15174897 E-mail/Text: ktramble@lendmarkfinancial.com Jul 01 2020 06:06:56  
 Lendmark Financial Services, 2118 Usher St., Covington, GA 30014  
 15185758 E-mail/PDF: resurgentbkn notifications@resurgent.com Jul 01 2020 06:21:41 LVNV Funding, LLC,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 15174902 +E-mail/PDF: pa\_dc\_claims@navient.com Jul 01 2020 06:20:41 Navient, Po Box 9635,  
 Wilkes Barre, PA 18773-9635  
 15174903 +E-mail/PDF: pa\_dc\_claims@navient.com Jul 01 2020 06:20:42 Naviet, Attn: Claims Dept,  
 Po Box 9500, Wilkes-Barr, PA 18773-9500  
 15174905 +E-mail/PDF: cbp@onemainfinancial.com Jul 01 2020 06:21:06 OneMain Financial,  
 Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251  
 15174904 +E-mail/PDF: cbp@onemainfinancial.com Jul 01 2020 06:22:13 OneMain Financial, Po Box 1010,  
 Evansville, IN 47706-1010

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 47

Date Rcvd: Jun 30, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15174908 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 01 2020 06:22:33  
Portfolio Recovery, Attn: Bankruptcy, 120 Corporate Blvd, Norfolk, VA 23502  
15174909 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 01 2020 06:21:33  
Portfolio Recovery Associates, 120 Corporate Blvd Ste 100, Norfolk, VA 23502  
15183867 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 01 2020 06:21:35  
Portfolio Recovery Associates, LLC, POB 12914, Norfolk, VA 23541  
15198681 E-mail/Text: bnc-quantum@quantum3group.com Jul 01 2020 06:07:55  
Quantum3 Group LLC as agent for, Galaxy International Purchasing LLC, PO Box 788,  
Kirkland, WA 98083-0788  
15198663 E-mail/Text: bnc-quantum@quantum3group.com Jul 01 2020 06:07:56  
Quantum3 Group LLC as agent for, Second Round Sub LLC, PO Box 788,  
Kirkland, WA 98083-0788  
15206823 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Jul 01 2020 06:33:59 Verizon,  
by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 27

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr JPMorgan Chase Bank, N.A.  
cr MidFirst Bank  
cr\* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,  
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945  
15178980\* +P.A.A.C. Transit Div., FCU, 219 Fort Pitt Blvd., Second Floor, Pittsburgh, PA 15222-1558  
15174907\* +PAAC Trans Division FCU, 219 Fort Pitt Blvd, Pittsburgh, PA 15222-1559  
15174911 ##+Second Round, LP, 4150 Freidrich Lane, Austin, TX 78744-1052

TOTALS: 2, \* 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 02, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 30, 2020 at the address(es) listed below:

Christopher M. Frye on behalf of Joint Debtor Kristen A. McSweeney  
chris.frye@steidl-steinberg.com,  
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo  
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste  
inberg.com  
Christopher M. Frye on behalf of Debtor Robert T. McSweeney chris.frye@steidl-steinberg.com,  
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo  
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste  
inberg.com  
James Warmbrodt on behalf of Creditor MidFirst Bank bkgroup@kmlawgroup.com  
Karina Velter on behalf of Creditor JPMorgan Chase Bank, N.A. amps@manleydeas.com  
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,  
jbluemle@bernsteinlaw.com  
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 8